

**FAUQUIER COUNTY
PURCHASE OF DEVELOPMENT RIGHTS COMMITTEE
MEETING**

April 4, 2006
8:30 AM

Fauquier County Extension Office, 24 Pelham Street, Warrenton, VA 20186

APPROVED MINUTES

Committee Members Present:

John Schied, Chairman
Ike Broaddus, Vice Chairman

Committee Members Absent:

Leslie Grayson
Don Huffman
Roger Martella

Others Present:

Ray Pickering, Agricultural Development Officer
Scottie Heffner, PDR Program Assistant
Robert Sisk, Citizen
Bill Weber, Citizen

1. Call to Order

- a. Chairman Schied noted that there was not a quorum present, therefore the Agenda items would be for discussion only and no action would be taken.

2. Review of February 7, 2006 Minutes

- a. Minutes were reviewed but no action was taken.

3. Review of Stillwaters Farm, LLC Easement

- a. This 740 acre easement which was co-held with Piedmont Environmental Council and the NRCS settled February 24, 2006. The partnership reduced the county payment to less than half the usual amount.

4. Review of Current Applicants

- a. Howard L. Grove Estate (Susannah L. Grove) – Landowners are working to resolve differences.
- b. Rebecca M. George – Survey, title and appraisal work is being done in regard to the VLCF grant.
- c. Harry and Judy McConnell – Title work has been reviewed and the Deed is being put in final form. This easement could be completed shortly thereafter.
- d. Kenneth Smith's Cool Lawn Farms, L.L.C. – The County Attorney is working with Zoning and the Landowner's counsel to resolve issues of the number of rights allotted.
- e. Walter R. Green – Title work is complete and is being reviewed.

- f. Victor and Rosa Hacker – Landowners have been discussing the easement restrictions with family members and have decided to go forward.
- g. Calvin L. Ritchie – A member of the family has indicated that they intend to carry out Mr. Ritchie's wishes to place this parcel in easement.

Several prospective applicants have shown an interest in the PDR Program – A new application round may open by late spring or early summer, 2006.

- 5. Adopted FY 2007 PDR Budget – The Board of Supervisors adopted the FY 2007 Budget which allocates one cent of the County's real estate property tax to the PDR Program. This should yield roughly the same amount as FY 2006 due to the recent increase in assessed values of real estate.
- 6. Review Proposed Changes
 - a. Landowner Commitment Agreement and Timeline – A time limit of 90 days to return this Agreement will help to circumvent undue delays. A separate timeframe for actual completion of the easement itself will ensure steady progress. Anytime after one year from the date of BOS approval, the County has the right to rescind the offer. If the easement has not settled after one year from the time of approval, reasonable progress should be evident and a written request for additional time must be made. If, after two years the easement is still not complete, the County has the authority to rescind the easement offer and the landowner must reapply in a subsequent application round in order to be considered.
 - b. Application – Minor changes were made to clarify that the applicant should consider the possibility of a bargain sale tax treatment but that the County makes no warranty in regard to this. Retention of rights is the same as the VOF standard (based on VOF's sliding scale).
 - c. Treatment of Tenant/Rental Houses – Tenant houses will be allowed within the rate of 1 per 100 acres, which mirrors the VOF standard. For each tenant house over one per 100 acres, the number of rights would be reduced by one.
- 7. PDR Program Annual Report
 - a. The first PDR Program Report, to be renewed annually, was prepared to outline the progress of the program since its inception in 2002.
- 8. PDR Committee Members' Term
 - a. All current Committee Members' terms expire December 31, 2007.

Ray Pickering discussed the opportunity for matching funds from a USDA grant program. However, this program is very strict in pursuing only those properties that have prime agricultural soil. In addition, the subject property must have at least 50% prime soils and a soil and water conservation plan in place which must be approved by the USDA. There may also be limited grant funds available statewide for PDR easements through the Open Space Preservation Trust Fund as well as the Virginia Land Conservation Fund grant program which is still under budget negotiation in Richmond.

- 9. Next Meeting Date

- a. The next PDR Committee Meeting is scheduled for 8:30 a.m., Tuesday, May 9, 2006 at the Extension Office.

10. Adjourn

- a. There being no further business to discuss, the meeting was adjourned.